



**AGENDA**  
**CITY COUNCIL OF THE CITY OF MORENO VALLEY**  
**MORENO VALLEY COMMUNITY SERVICES DISTRICT**  
**COMMUNITY REDEVELOPMENT AGENCY OF THE**  
**CITY OF MORENO VALLEY**  
**BOARD OF LIBRARY TRUSTEES**

**OCTOBER 10, 2006**  
**REGULAR MEETING – 6:30 P.M.**  
**City Council Closed Session**  
First Tuesday of each month – 6:00 p.m.  
**City Council Study Sessions**  
Third Tuesday of each month at 6:00 p.m.  
**City Council Meetings**  
Second and Fourth Tuesdays at 6:30 p.m.  
City Hall Council Chamber  
14177 Frederick Street

*Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to the City Clerk's office at 951.413.3001 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.*

Bonnie Flickinger, Mayor

Charles R. White, Mayor Pro Tem  
Richard A. Stewart, Council Member  
Member

Frank West, Council Member  
William H. Batey, II, Council

**AGENDA  
JOINT MEETING OF THE  
CITY COUNCIL OF THE CITY OF MORENO VALLEY  
MORENO VALLEY COMMUNITY SERVICES DISTRICT  
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY  
AND THE BOARD OF LIBRARY TRUSTEES**

**REGULAR MEETING - 6:30 P.M.  
OCTOBER 10, 2006**

**CALL TO ORDER** (Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

**PLEDGE OF ALLEGIANCE**

**INVOCATION** – Pastor Barry E. Knight, Perpetual Praise & Worship Church

**ROLL CALL**

**INTRODUCTIONS**

PUBLIC COMMENTS **ON MATTERS ON THE AGENDA** WILL BE TAKEN UP AS THE ITEM IS CALLED FOR BUSINESS, BETWEEN STAFF'S REPORT AND CITY COUNCIL DELIBERATION (SPEAKER SLIPS MAY BE TURNED IN UNTIL THE ITEM IS CALLED FOR BUSINESS.) Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

PUBLIC COMMENTS **ON MATTERS NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

**JOINT CONSENT CALENDARS (SECTIONS A-D) OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY, AND THE BOARD OF LIBRARY TRUSTEES**

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, Redevelopment Agency or the Board of Library Trustees requests that an item be removed for separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report/discussion will be heard after public hearing items.

**A. CONSENT CALENDAR - CITY COUNCIL**

- A1. ORDINANCES - FIRST READING BY TITLE ONLY  
Recommendation: Waive reading of all Ordinance Introductions and read by title only.
- A2. MINUTES – REGULAR MEETING OF SEPTEMBER 26, 2006 (Report of: City Clerk’s Department)  
Recommendation: Approve as submitted.
- A3. LEGISLATIVE UPDATE AND NOVEMBER STATEWIDE ELECTION: A SUMMARY OF THE BALLOT MEASURES (Report of: Assistant City Manager)  
Recommendation: Receive and file the informational report on ballot measures and the 2006 Legislative Update.
- A4. WARRANT REPORT – AUGUST 31, 2006 (Report of: Finance Department)  
Recommendation: Adopt Resolution No. 2006-115 approving the Warrant Report, dated August 2006, in the total amount of \$28,018,264.03.

Resolution No. 2006-115

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Warrant Report Dated August 31, 2006

- A5. TRACT MAP 29504 – REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING FIR AVENUE, LASSELLE STREET, MULBERRY LANE, NINEBARK STREET, ALDER LANE, ATHERTON DRIVE, AND PRIMROSE WAY INTO THE CITY’S MAINTAINED STREET SYSTEM, SUBDIVIDER – TRACT 29504, LLC, RANCHO CUCAMONGA, CALIFORNIA (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2006-116 authorizing the acceptance of the public improvements for Tract Map 29504 as complete and accepting Fir Avenue, Lasselle Street, Mulberry Lane, Ninebark Street, Alder Lane, Atherton Drive and Primrose Way into the City's maintained street system.

Resolution No. 2006-116

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Tract 29504, and Accepting Fir Avenue, Lasselle Street, Mulberry Lane, Ninebark Street, Alder Lane, Atherton Drive, and Primrose Way into the City's Maintained Street System

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

- A6. TRACT MAP 22377 – REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING CAMINO FLORES, CALLE ALTO, BOGOSO LANE, CASA ENCANTADOR ROAD, CALLE CAMELIA, CALLE ROSA, CALLE CASTANO, CAMINO LARGO, AND ABAZO DRIVE INTO THE CITY'S MAINTAINED STREET SYSTEM, SUBDIVIDER – K. HOVNANIAN FORECAST HOMES, INC., ONTARIO, CA 91761 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2006-117 authorizing the acceptance of the public improvements for Tract Map 22377 as complete and accepting Camino Flores, Calle Alto, Bogoso Lane, Casa Encantador Road, Calle Camelia, Calle Rosa, Calle Castano, Camino Largo, and Abazo Drive into the City's Maintained Street System.

Resolution No. 2006-117

A Resolution of the City Council of the City of Moreno Valley, Authorizing the Acceptance of the Public Improvements as Complete Within Tract 22377, and Accepting Camino Flores, Calle Alto, Bogoso Lane, Casa Encantador Road, Calle Camelia, Calle Rosa, Calle Castano, Camino Largo, and Abazo Drive into the City's Maintained Street System

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.
- A7. TRACT 30316 – TEMPORARY EMERGENCY ACCESS ROAD – REDUCE FAITHFUL PERFORMANCE BOND AND RELEASE MATERIAL AND LABOR BOND, DEVELOPER – K. HOVNANIAN FORECAST HOMES, INC., ONTARIO, CA (Report of: Public Works Department)  
Recommendation:
1. Accept the improvements for Tract Map 30316 Temporary Emergency Access Road as constructed per the Property Improvement and License Agreement.
  2. Authorize the City Engineer to execute the Faithful Performance Bond reduction and exoneration of the Material and Labor Bond.
  3. Authorize the City Engineer to exonerate the final portion of the Faithful Performance Bond once the temporary access road has been removed and the underlying property has been returned to its original form and all clearances are received.
- A8. TRACT 30316 – SINGLE FAMILY RESIDENTIAL – 2ND AMENDMENT TO AGREEMENT FOR PUBLIC IMPROVEMENTS (TIME EXTENSION), EAST OF LASSELLE STREET, NORTH OF IRIS AVENUE, AND NORTH OF CAMINO FLORES, SUBDIVIDER: K. HOVNANIAN FORECAST HOMES, INC., ONTARIO, CA (Report of: Public Works Department)  
Recommendation:
1. Authorize the Mayor to execute the Amendment to Agreement for Public Improvements for Tract 30316.
  2. Instruct the City Clerk to forward the completed Amendment to Agreement for Public Improvements to the County Recorder's Office for recordation.
  3. Authorize the City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said timeframe.
- A9. PARCEL MAP 34088 – ACCEPT MAP, AGREEMENT AND CASH DEPOSIT FOR PUBLIC IMPROVEMENTS, WEST OF INDIAN AVENUE AND NORTH OF ALESSANDRO BOULEVARD, DEVELOPER – OPT MORENO VALLEY LLC, GREENWOOD VILLAGE, CO (Report of: Public Works Department)

Recommendation:

1. Approve Parcel Map 34088, authorize the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation.
2. Accept the Agreement for Public Improvements and Cash Deposit for Parcel Map 34088.
3. Authorize the Mayor to execute the agreement.
4. Direct the City Clerk to forward the signed agreement to the County Recorder's Office for recordation.
5. Authorize the City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said timeframe.

- A10. APPROVE TRACT 31431 – SINGLE FAMILY RESIDENTIAL – ACCEPT AGREEMENT AND BONDS FOR PUBLIC IMPROVEMENTS, NORTH OF DRACAEA AVENUE AND WEST OF INDIAN AVENUE, SUBDIVIDER – DRESCH, CHAN & ZHOU PARTNERSHIP, CHINO HILLS, CA (Report of: Public Works Department)

Recommendation:

1. Approve Tract 31431, authorize the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation.
2. Accept the Agreement and Bonds for Public Improvements.
3. Authorize the Mayor to execute the Agreement.
4. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation.
5. Authorize the City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said timeframe.

- A11. APPROVE TRACT 31212 PRIVATE DRIVEWAY – SINGLE FAMILY RESIDENTIAL – ACCEPT AGREEMENT AND BONDS FOR PRIVATE IMPROVEMENTS, SOUTHWEST CORNER OF COTTONWOOD AVENUE AND MORRISON STREET, SUBDIVIDER – WESTERN PACIFIC HOUSING, IRVINE, CA (Report of: Public Works Department)

Recommendation:

1. Accept the Agreement and Bonds for Public Improvements.
2. Authorize the Mayor to execute the Agreement.
3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation.

A12. PARCEL MAP 32961 – APPROVAL OF COOPERATIVE AGREEMENT FOR PERRIS VALLEY – GROVE VIEW ROAD STORM DRAIN, BETWEEN THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, CITY OF MORENO VALLEY, AND INDUSTRIAL DEVELOPMENTS INTERNATIONAL, INC., NORTHWEST CORNER OF PERRIS BOULEVARD AND GROVE VIEW ROAD, SUBDIVIDER – INDUSTRIAL DEVELOPMENTS INTERNATIONAL, INC., IRVINE, CA (Report of: Public Works Department)

Recommendation:

1. Approve the Cooperative Agreement between the Riverside County Flood Control and Water Conservation District, City of Moreno Valley, and Industrial Developments International, Inc. for Perris Valley – Grove View Road Storm Drain.
2. Authorize the Mayor to execute the cooperative agreement.
3. Direct the City Clerk to forward the signed agreement to Riverside County Flood Control and Water Conservation District.

A13. ADOPT A MITIGATED NEGATIVE DECLARATION (MND) FOR PIGEON PASS ROAD WIDENING – CLIMBING ROSE DRIVE TO NORTH CITY LIMITS, PROJECT NO. 06-41570324 (Report of: Public Works Department)  
Recommendation: Adopt a Mitigated Negative Declaration (MND) for the widening of Pigeon Pass Road from Climbing Rose Drive to the North City Limits.

A14. PUBLIC MEETING REGARDING MAIL BALLOT PROCEEDINGS FOR: ASSESSOR PARCEL NUMBER (APN) 297-130-042 (76 GAS STATION) BALLOTTED ITEM NPDES, TENTATIVE PARCEL MAPS 34604, 33826 AND 33275 AND TENTATIVE TRACT 32194 BALLOTTED ITEM NPDES (Report of: Public Works Department)

Recommendation: Accept public comments regarding the mail ballot proceeding for Assessor Parcel Number (APN) 297-130-042 (76 Gas Station), Tentative Parcel Maps 34604, 33826 and 33275 and Tentative Tract 32194 (and all affected phases) for approval of the appropriate National Pollutant Discharge Elimination System (NPDES) regulatory rate schedule.

A15. AUTHORIZATION TO AWARD BID FOR REPLACEMENT STREET SWEEPER (Report of: Public Works Department)

Recommendation:

1. Award the bid for purchase of a Schwartz M6000 Street Sweeper to Kelly Equipment Company, Upland, California, as being the lowest responsible bidder and in the best interest of the City.
2. Authorize the issuance of a Purchase Order for Kelly Equipment Company in the amount of \$246,054.36. (Account Number: 151.52610.6642.648)
3. Authorize the Maintenance and Operations Manager to execute a contract with the Mobile Source Air Pollution Reduction Review Committee (MSRC) Local Government Match Program for reimbursement in the amount of \$25,000 toward the purchase of the replacement Street Sweeper.

A16. AB 1234 ETHICS TRAINING PARTICIPANTS (Report of: City Clerk's Department)

Recommendation: Ratify the decision to include the City Manager, City Attorney and City Clerk as those employees required to take the two (2) hours of ethics training mandated by AB 1234.

A17. ORDINANCE NO. 724 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY COUNCIL OF THE CITY OF MORENO VALLEY AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM (RECEIVED FIRST READING AND INTRODUCTION ON SEPTEMBER 12, 2006 ON A 5-0 VOTE) (Report of: Human Resources Department)

Recommendation: Adopt Ordinance No. 724

Ordinance No. 724

An Ordinance of the City Council of the City of Moreno Valley, California Authorizing an Amendment to the Contract Between the City Council of the City of Moreno Valley and the Board of Administration of the California Public Employees' Retirement System

A18. TRANSFER OF REAL PROPERTY LOCATED AT THE LASSELLE SPORTS PARK FROM THE CITY OF MORENO VALLEY, A MUNICIPAL CORPORATION, TO THE MORENO VALLEY COMMUNITY SERVICES DISTRICT AND EXECUTION OF AN EASEMENT DEED FROM THE MORENO VALLEY COMMUNITY SERVICES DISTRICT TO THE RIVERSIDE COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT (Report of: Public Works Department)

Recommendation: Authorize the Mayor to execute two (2) quitclaim deeds to transfer real property located at the Lasselle Sports Park from the City of



Moreno Valley, a Municipal Corporation, to the Moreno Valley Community Services District.

A19. AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE TRAFFIC SIGNAL AT PIGEON PASS ROAD AND CLIMBING ROSE DRIVE – PROJECT NO. 06-12566726 (Report of: Public Works Department)

Recommendation:

1. Adopt the plans and specifications for the Traffic Signal at Pigeon Pass Road and Climbing Rose Drive.
2. Award the construction contract for the Traffic Signal at Pigeon Pass Road and Climbing Rose Drive to New West Signal, 14055 Foothill Blvd., Fontana, CA 92335, the lowest responsible bidder.
3. Authorize the Mayor to execute a contract agreement with New West Signal.
4. Authorize the issuance of a Purchase Order for New West Signal in the amount of \$134,000.00 (the bid amount plus 15% contingency) for the traffic signal at Pigeon Pass Road and Climbing Rose Drive (Account No. 125.66726).
5. Authorize the City Manager to execute any subsequent related minor change orders to the contract with New West Signal up to, but not exceeding, the contingency amount of \$17,719.00, subject to the approval of the City Attorney.

A20. REVIEW AND CONTINUE THE EMERGENCY ACTION REGARDING THE DESIGN AND CONSTRUCTION OF THE MORENO VALLEY UTILITIES (MVU) 115 KILOVOLT (KV) SUBSTATION AND SWITCHYARD FACILITY (Report of: Public Works Department)

Recommendation: Review and continue the Emergency Action taken by the Council during the September 26, 2006 Council Meeting under Resolution 2006-113 Making Findings of an Emergency and Authorizing the Execution of the Design-Build Agreement for the Moreno Valley Utilities Substation and Switchyard Project between the City of Moreno Valley, as Owner, and ABB, Inc., A Delaware Corporation, as Design-Builder, in Accordance with Public Contract Code Sections 20168, 22050, and Government Code Section 5956.

**B. CONSENT CALENDAR – COMMUNITY SERVICES DISTRICT**

B1. ORDINANCES – FIRST READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinance Introductions and read by title only.

B2. MINUTES – REGULAR MEETING OF SEPTEMBER 26, 2006 (Report of City

Clerk's Department)

Recommendation: Approve as submitted.

- B3. PUBLIC MEETING REGARDING MAIL BALLOT PROCEEDINGS FOR: TENTATIVE PARCEL MAP 33275 AND TENTATIVE TRACT 32194 FOR COMMUNITY SERVICES DISTRICT (CSD) ZONE B (RESIDENTIAL STREET LIGHTING) (Report of: Public Works Department)

Recommendation: Accept public comments regarding the mail ballot proceedings for Tentative Parcel Map 33275 and Tentative Tract 32194 (and all affected phases) for inclusion into and approval of the annual parcel charge for Community Services District (CSD) Zone B (Residential Street Lighting)

- B4. EXTENSION OF CONTRACT – PROJECT NO. MVCSD-TT04/05 – PARKWAY & MEDIAN TREE TRIMMING (Report of: Public Works Department)

Recommendation:

1. Approve the extension of Project No. MVCSD-TT04/05 to continue its term for an additional one-year period; and
2. Amend Subsection 8.b. of Project No. MVCSD-TT04/05's *General Provisions* to allow the Consumer Price Index for the Los Angeles-Riverside-Orange County region to be used as the basis for negotiating any requests for contract pricing increases; and
3. Authorize the Mayor, acting in the capacity as President of the MVCSD Board, to sign a Purchase Requisition in favor of TruGreen-LandCare, of Upland, California, and;
4. Authorize the Purchasing Manager to issue an open purchase order to TruGreen-LandCare in the amount of \$151,780.10 to pay for annual trimming of MVCSD parkway and median trees.

- B5. TRANSFER OF REAL PROPERTY LOCATED AT THE LASSELLE SPORTS PARK FROM THE CITY OF MORENO VALLEY, A MUNICIPAL CORPORATION, TO THE MORENO VALLEY COMMUNITY SERVICES DISTRICT AND EXECUTION OF AN EASEMENT DEED FROM THE MORENO VALLEY COMMUNITY SERVICES DISTRICT TO THE RIVERSIDE COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT (Report of: Public Works Department)

Recommendation:

1. Authorize the Chairman of the Board of Directors of the Community Services District to execute the Certificates of Acceptance, which allow the transfers of real property located at the Lasselle Sports Park

from the City of Moreno Valley, a Municipal Corporation, to the Moreno Valley Community Services District.

2. Authorize the Chairman of the Board of Directors of the Community Services District to execute an Easement Deed to the Riverside County Flood Control & Water Conservation District for facility access ingress and egress purposes for the Lasselle Sports Park.

**C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY**

- C1. ORDINANCES - FIRST READING BY TITLE ONLY  
Recommendation: Waive reading of all Ordinance Introductions and read by title only.
- C2. MINUTES – REGULAR MEETING OF SEPTEMBER 26, 2006 (Report of City Clerk’s Department)  
Recommendation: Approve as submitted.

**D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES**

- D1. ORDINANCES - FIRST READING BY TITLE ONLY  
Recommendation: Waive reading of all Ordinance Introductions and read by title only.
- D2. MINUTES – REGULAR MEETING OF SEPTEMBER 26, 2006 (Report of City Clerk’s Department)  
Recommendation: Approve as submitted.

**E. PUBLIC HEARINGS**

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration. Those wishing to speak should complete and submit a GOLDENROD speaker slip to the Bailiff.

- E1. PUBLIC HEARING REGARDING THE MAIL BALLOT PROCEEDINGS (REBALLOT) FOR A PROPOSED PARCEL CHARGE INCREASE FOR COMMUNITY SERVICES DISTRICT (CSD) ZONE D (PARKWAY LANDSCAPE MAINTENANCE) FOR TRACTS 18784/20906, 19912, AND 21616 (Report of: Public Works Department)  
Recommendation: That the President and Members of the Board of Directors of the Moreno Valley Community Services District, after conducting the public hearing:

1. Tabulate the mail ballots for the proposed CSD Zone D parcel charges for Tracts 18784/20906, 19912, and 21616;
  2. Verify and accept the results of the mail ballot proceedings as identified on the Official Tally Sheet and Assessor Parcel Number (APN) listing;
  3. Receive and file with the City Clerk's office the accepted CSD Official Tally Sheet and APN listing; and
  4. If approved, authorize and impose the proposed CSD Zone D annual parcel charge for Tracts 18784/20906, 19912, and 21616 and reinstate the Zone D landscape services to the Standard Service level.
- E2. A PUBLIC HEARING REGARDING A REQUEST TO CONSIDER AMENDMENT NO. 6 TO THE TOWNGATE SPECIFIC PLAN (SP NO. 200) TO MODIFY THE LAND USE DESIGNATION AND LANGUAGE WITHIN THE SPECIFIC PLAN FOR A 7.5 NET ACRE (9.3 GROSS ACRE) PARCEL OF LAND WITHIN PLANNING AREA NO. 13 FROM TC (TOWN CENTER) TO MH (MEDIUM HIGH-DENSITY RESIDENTIAL) TO SUPPORT THE DEVELOPMENT OF TENTATIVE TRACT MAP NO. 34299 AND A PLOT PLAN FOR A 67 UNIT DETACHED RESIDENTIAL CONDOMINIUM COMPLEX WITH VARIOUS RECREATIONAL AMENITIES. THE PROJECT IS LOCATED ON THE SOUTHWEST CORNER OF EUCALYPTUS AVENUE (EAST) AND EUCALYPTUS AVENUE (WEST) AND IS SUBMITTED BY K HOVNANIAN, IN CONJUNCTION WITH THE PROPERTY OWNER, FRITZ DUDA COMPANY (Report of: Community Development Department)
1. Recognize that the TownGate Specific Plan (SP No. 200) Amendment No. 6 (P05-128), Plot Plan (PA05-0211) and Tentative Tract Map No. 34299 (PA05-0204) are within the scope of the Program Environmental Impact Report (EIR) for the TownGate Specific Plan pursuant to the Addendum as provided within Section 15164 of the California Environmental Quality Act Guidelines, while no conditions in Section 15162 calling for a subsequent EIR have occurred.
  2. Introduce Ordinance No. 727 thereby approving P05-128 (Specific Plan Amendment), based on the findings in the City Council Ordinance for Amendment No. 6 to the TownGate Specific Plan No. 200, including the modification of associated language and conditions of approval as well as the amendment of the Official Zoning Atlas for a 7.5 net acre parcel of land within Planning Unit 13 from TC (Town Center) to MH (Medium High Density Residential) attached as Exhibits A, B and C to the resolution.

Ordinance No. 727

An Ordinance of the City Council of the City of Moreno Valley, Approving Specific Plan Amendment No. 6 (P05-128) to the TownGate Specific Plan No. 200 to Modify Land use Designation for a 7.5 Acre Portion of Land within Planning Area No. 13 from SP200 TC (Town Center) to SP200 MH (Medium High Density Residential) and Modify the Design Manual within Specific Plan No. 200 to Alter Various Maps and Subsequent Sections and Subsections of the Document Related to the Proposed Change in Land Use

3. Approve Resolution No. 2006-118 thereby approving PA05-0204 (Tentative Tract Map No. 34299) based on the findings included in the Resolution, and Conditions of Approval, attached as Exhibit A to the Resolution

Resolution No. 2006-118

A Resolution of the City Council of the City of Moreno Valley, California, Approving PA05-0204 (Tentative Tract Map No. 34299) for a 67 Unit Detached Condominium Complex on a 7.5 Net Acre Parcel of Land

4. Approve Resolution No. 2006-119 thereby approving PA05-0211 (Plot Plan) based on the findings included in the Resolution, and Conditions of Approval, attached as Exhibit A to the Resolution.

Resolution No. 2006-119

A Resolution of the City Council of the City of Moreno Valley, California, Approving P05-0211 (Plot Plan), for the Development of a 67 Unit Detached Condominium Complex on a 7.5 Net Acre Parcel of Land within the TownGate Specific Plan No. 200

- E3. PUBLIC HEARING AND ORDINANCE APPROVING SECOND AMENDMENT TO THE ANNEXATION AND DEVELOPMENT AGREEMENT FOR THE TOWNGATE DEVELOPMENT (Report of: Economic Development Department)

Recommendation: That the City Council, after conducting the public hearing:

1. Introduce Ordinance No. 728, approving the Second Amendment to the Annexation and Development Agreement for the TownGate Mixed Use Development.

Ordinance No. 728

An Ordinance of the City Council of the City of Moreno Valley, California, Approving the Second Amendment to the Annexation and Development Agreement Between the City of Moreno Valley, RIR Associates and Ryder Homes Relative to the Development Known as Moreno Valley Mixed Use Development (TownGate)

2. Authorize the Mayor to execute the Second Amendment to the Annexation and Development Agreement for the TownGate Mixed Use Development.

**F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION**

**G. REPORTS**

**G1. CITY COUNCIL REPORTS ON REGIONAL AND REIMBURSABLE ACTIVITIES**

- a. Report on March Joint Powers Commission by Council Member Stewart
- b. Report on Riverside County Transportation Commission by Council Member West

**G2. CITY MANAGER'S REPORT (Informational Oral Presentation – not for Council action)**

**H. LEGISLATIVE ACTIONS**

ORDINANCES - 1ST READING AND INTRODUCTION - NONE

ORDINANCES - 2ND READING AND ADOPTION - NONE

ORDINANCES - URGENCY ORDINANCES - NONE

RESOLUTIONS – NONE

PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL

Those wishing to speak should complete and submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

**CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY**

## CLOSED SESSION

A Closed Session of the City Council, Community Services District and Community Redevelopment Agency of the City of Moreno Valley will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

- **PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL**

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

- 1) SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION  
Number of Cases: 2
- 2) SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION  
Number of Cases: 2
- 3) SECTION 54957.6 – LABOR NEGOTIATIONS
  - a) Agency Representative: Robert Gutierrez  
Employee Organization: MVCEA
  - b) Agency Representative: Robert Gutierrez  
Employee Organization: MVMA

## REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

## ADJOURNMENT